

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

United States of America

v.

Criminal No. 09-27-01-JL

Douglas M. Johnson

**ORDER FOR DETERMINATION OF MENTAL  
COMPETENCY OF DEFENDANT**

The United States Attorney has moved for a determination of mental competency pursuant to 18 U.S.C. § 4241. Based upon defense counsel's representations as to defendant's interactions with him, the observations and concerns of the Probation Officer and defense counsel, I find reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect that could affect his competency to understand the nature and consequences of the sentencing proceedings or to assist his counsel during the sentencing proceedings.

This order shall not be construed to make any finding undermining the validity (knowledge, voluntariness, competency) of the defendant's guilty plea.

Pursuant to 18 U.S.C. § 4241(b) and 4247(b), the defendant is committed to the custody of the Attorney General for a period

not to exceed thirty days for placement in a suitable facility where an examination of the defendant's mental condition can be conducted. The director of the facility may apply for a reasonable extension as provided by 18 U.S.C. § 4247(b)

The examining officials shall prepare a report of their findings pursuant to 18 U.S.C. § 4247(b), which report shall be filed with this court.

The Court requests prior notification of the date of the defendant's return to this jurisdiction after the examination so that a prompt competency hearing and detention hearing may be held.

**SO ORDERED.**

  
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Joseph N. Laplante  
United States District Judge

Date: November 30, 2009

cc: Debra M. Walsh, AUSA  
John T. Pendleton, Esq.  
U.S. Marshal  
U.S. Probation